

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held May 29, 2007

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Lori Wissler and Dianne Moran, Planning and Zoning Officers; James Snyder, HRG, Inc., Township Engineer; Mr. Mike Mazzaccaro; Mr. Tim Wakefield, Act One Engineering; and Steven Quigley, H. Edward Black and Associates.

Pledge of Allegiance

Mr. Crissman led in the recitation of the Pledge of Allegiance.

Approval of Minutes

There were no minutes to approve.

Public Comment

Mr. Charles Barto, President of the Board of Directors of the Koons Pool Board, explained that the Koons Pool Board is quasigovernmental by order of the Dauphin County Court. He requested to make an emergency petition to the Board of Supervisors for financial assistance. He noted that Koons Pool is the only pool in the area to provide the Red Cross Learn to Swim Programming for the elementary schools in the Township, as well as the only pool that has open usage for people at Koons Park. He noted that the pool is also used by the Township's summer camp programs as well.

Mr. Barto noted that as they prepared to open the pool this past weekend, it was found that the pump that supplies water to the restrooms and concession stand was broken, and that it would cost roughly \$7,000 to replace the pump with a new one. He noted that the Pool Board does not have the money to replace the pump. He noted that the pump is located 450 feet in-ground and has been in use in excess of 30 years. He requested a supplemental appropriation from the Board of Supervisors to cover the replacement costs for a new pump.

Mr. Hawk questioned Mr. Barto if he had received price quotes to replace the pump. Mr. Barto answered that he had, and it would cost roughly between \$5,000 and \$7,000 to replace the pump. Mr. Hawk questioned who would install the pump. Mr. Barto explained that the price quote includes the cost of installation and labor by the contractor.

Mr. Seeds questioned if the well pump feeds the pool. Mr. Barto noted that the pool is not filled using this pump. He noted that the well is responsible for maintaining DEP's standards to provide running water for the showers, restrooms, and concession stands. Mr. Seeds questioned if the fire company supplies water from Balthaser Street to fill the pool. Mr. Barto answered that that was correct.

Mr. Hawk questioned if the Pool Board has any funds to put toward the purchase of the pump. Mr. Barto responded that there were no extra funds to pay for a new well pump, thus the reason for the request of emergency relief to pay for the pump. Mr. Hawk questioned what would happen if the pool did not receive the funds for a new pump. Mr. Barto answered that the pool would not be able to open for the season, and the memberships would need to be returned.

Mr. Seeds noted that pools lose a good amount of water, and questioned how many gallons the pool loses. Mr. Barto answered that the pool does not lose water as the pool was coated in plastic, and there is minimal water loss through evaporation.

Mr. Seeds questioned if the Koons Pool Board looked at the option of installing a water main line. Mr. Barto answered that the line would need to traverse Township property to do this. He noted that he has not explored the costs to do this, but timing is a factor for opening the pool. Mr. Blain suggested that it would not be an option at this time as it would take too much time to install a water main to the facility. He noted that they need to get the pool open as soon as possible.

Mr. Crissman questioned what the turn around time would be to replace the pump. Mr. Barto answered that he was told that the pump could be replaced within a few days to allow for the pool to be open this weekend. Mr. Crissman questioned what was the maximum amount of money needed based upon the vendor's estimate. Mr. Barto answered that it was \$7,500.

Mr. Seeds questioned if the Township would be required to secure bids for this work. Mr. Wolfe answered that the Township can legally grant funds to a recreation entity working in the Township Park, and would not be required to use the Township's procurement policy. He noted that this would qualify as an emergency procurement.

Mr. Crissman made a motion to appropriate, up to \$7,500, to Koons Pool for the replacement of the existing well pump. Mr. Hawk seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Barto thanked the Board members and noted that he would be in contact with Mr. Wolfe regarding the funds.

Chairman & Board Members' Comments

None was presented.

Oath of Office to Police Officers

Lt. David Hogentogler explained that Chief Bair was unable to attend the ceremonies this evening. He noted that there are three police officers to be sworn in at this time and explained that the vacancies were the result of retirements and resignations of former officers. He noted that, with the swearing in of the three new police officers, it would bring the compliment of sworn police officers to 61 members. He explained that this is the approved staffing level as approved by the Board of Supervisors in 2006.

Lt. Hogentogler introduced Zachary Fehrenbach, who is 28 years of age and lives in Lebanon with his wife Christina. He graduated from the University of Wisconsin with a bachelor's degree in Psychology and a minor in Criminal Justice. He explained that he worked as a deputy in the Dane County Correctional Facility and moved to Pennsylvania in August of 2006 when his wife was accepted as a medical student at Penn State University Medical Center in Hershey. He was formerly employed by the Lebanon County Correctional Facility and Youth Advocate Program.

Lt. Hogentogler introduced Bryan Edward Ryder, who is 23 years of age and lives in Lancaster with his parents. He explained that he graduated in August of 2006 from West Chester University with a bachelor's degree in Criminal Justice, and enrolled himself in the pre-service Municipal Police Academy at Harrisburg Area Community College. Officer Ryder will graduate Friday, June 1, 2007 from the Police Academy.

Lt. Hogentogler introduced Hallie Miller, who is 29 years of age and lives in Manheim with her husband Stephen, and son, Stephen. He explained that Hallie attended the Tidewater Community College and Old Dominion University earning a Bachelor's Degree in Psychology. He noted that in January 2002, Hallie was hired by the Virginia Beach Police Department working in the Patrol Division and Criminal Investigation Bureau.

Mr. Hawk administered the oath of office to Bryan Ryder, Hallie Miller and Zachary Fehrenbach.

Manager's Report

Mr. Wolfe explained that, as of this evening, he would have a computer screen at his station, and that this is a move toward electronic documentation for the Township meetings. He noted that the technology allows him to access not only Township documents, but also the new Township website that provides much information to the general public.

Mr. Wolfe noted that the Township's new website was put into service roughly a month ago, and he proceeded to show the home page to the viewing audience. He noted that it provides information about the Township, as well as the time and temperature, a link for more weather information, and world news stories courtesy of Yahoo. He stated that he hopes that residents will use the Township's website as their home page on their personal computers.

Mr. Wolfe noted that the home page provides for messages from the Township manager and chairman of the Board of Supervisors, as well as information on the history of the Township, and municipal statistics. Information is also included about the parks, and various groups and committees in the Township. Information is also included regarding the various departments in the Township, trash and recycling, Friendship Center, residence packets, ordinances, and a community calendar.

Mr. Wolfe gave a demonstration of how the links operate within the website. He explained that the community calendar displays the various meetings scheduled for the month as well as some agenda's for particular meetings.. He noted that the website is still under construction, and some links have not been completed yet. He stated that he will continue to highlight specific pages on the website during future meetings, and access to the website is available at www.lowerpaxton-pa.gov.

Mr. Wolfe noted that with the new technology, he would be able to use two different computers to gain useful information that may be needed during the meeting. He noted that Mr. Weisinger, the Information Technology Manager, has made the process very user friendly for him and for the Board members, who will implement the use of computers for meetings in the near future.

OLD BUSINESS

Ordinance 07-02; amending the zoning designation of property addressed as 6500 Union Deposit Road from Agricultural Residential to Open Space

Mr. Wolfe explained that with the new technology, he can now display the zoning map for the viewing public, as well as any plans submitted by the developer.

Ms. Moran explained that an application for a Zoning Map Amendment has been submitted by Lawrence Conjar for 6500 Union Deposit Road. This land encompasses an area of approximately 19.08 acres and is located on Union Deposit Road west of Copperstone Road. The applicant proposes to rezone 19.08 acres from its current AR, Agricultural Residential District to an Open Space Overlay District. The applicant proposes to develop an eighteen single family residential lot development; with the minimum lot size proposed is 20,000 square feet. The open space area of the plan includes 7.63 acres.

Ms. Moran noted that on March 14, 2007 the Planning Commission recommended approval of the rezoning with a 4-3 vote and the following conditions:

- There be a legally enforceable mechanism to require the maximum possible preservation of the trees in the open space lot,
- The open space lot will be in common ownership and not of the individual lot owners
- Approval will be subject to the Act 537 Plan being amended to allow public sewer.

Ms. Moran noted that on March 22, 2007 the Township mailed notices to property owners surrounding the area of the proposed rezoning. The notice indicated that the Board of Supervisors would consider the application at a public hearing on April 17, 2007. In addition, on

March 28, 2007 and April 9, 2007 a public notice appeared in The Patriot News indicating that the Board of Supervisors would conduct a public hearing and consider the enactment of Ordinance 07-02 on April 17, 2007. Ms. Moran explained that on May 21, 2007 a public notice appeared in The Patriot News indicating that the Board of Supervisors would conduct a public hearing and consider the enactment of Ordinance 07-02 on May 29, 2007. On April 9, 2007 notices were posted on the parcel being considered for rezoning and the surrounding area.

Ms. Moran noted that Mr. Mike Mazzaccaro, and Mr. Tim Wakefield, Act One Engineering, are present to represent the plan.

Mr. Stine noted that there is no need to hold a public hearing because the public hearing for this item was held April 17, 2007. He noted that the public hearing was closed during that meeting, leaving the option to adopt or not to adopt the ordinance. Mr. Crissman noted if the agenda item was tabled at that meeting, then a motion is needed to take it off the table. Mr. Blain responded that the Ordinance was tabled at the April 17th meeting.

Mr. Crissman made a motion to remove from the table Ordinance 2007-02 for reconsideration. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Ms. Cathy Stewart, 6510 Union Deposit Road, questioned what this rezoning would do, or gain for the developer. Mr. Hawk noted that the Township would have to update the Act 537 Plan to allow public sewer in the area. He noted that the open space would provide for common ownership for the homeowners, and it would provide more latitude as to how to lay out the homes than it would for the AR zoning. Ms. Stewart questioned if it would make a difference if the land was zoned AR. Mr. Hawk noted that the open space option would provide for more preservation of undeveloped land. Ms. Stewart questioned if the number of lots would be the same. Mr. Blain answered that the lot size for the AR zone is 1.5 acre, and would permit the developer to clear cut the land. He noted that the open space requires that 40% of the tract must

remain as undisturbed open space or park land. Mr. Hawk suggested that there is no change as to how it would affect Ms. Stewart.

Mr. Wolfe noted that the open space overlay allows for one building lot for each acre of total lot area, as opposed to the 1.5 acre that was required under the AR district without the open space provisions.

Mr. Hawk noted that the Planning Commission recommended approval of the rezoning subject to the three conditions; 1) there be a legally enforceable mechanism to require the maximum possible preservation of the trees in the open space lot, 2) the open space lot will be in common ownership and not of the individual lot owners, and 3) approval will be subject to the Act 537 Plan being amended to allow public sewer.

Mr. Crissman made a motion to approve Ordinance 2007-02, amending the zoning designation of property addressed as 6500 Union Deposit Road from Agricultural Residential to Open Space as presented. Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

NEW BUSINESS

Resolution 07-26; establishing a policy to protect against the disclosure of certain public utility records

Mr. Hawk noted that this Resolution was discussed previously at a recent Sewer Authority Meeting, and explained that it would bring the Township into compliance with Act 156, noting the requirement that the public utility would be responsible for determining if records or a portion thereof contain confidential security information that would have impact on security of that property with regard to terroristic acts, or sabotage.

Mr. Crissman made a motion to approve Resolution 2007-26, establishing a policy to protect against the disclosure of certain public utility records. Mr. Blain seconded the motion,

and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on bids for the installation of emergency pre-emption equipment at select traffic signals on the U.S. Route 22 Corridor

Mr. Wolfe explained that the Township received two bids for the installation of additional pre-emption equipment. He noted that this equipment allows emergency responders to activate a signal to certain traffic signals to change the signal to a green light in their lane of travel that permits the vehicle to travel through the intersection unimpeded. He noted that this equipment has been installed at the most highly traveled intersections for roughly five years, and it was found to be very efficient. He noted that 2007 budget funds were set aside for the purchase of five additional pre-emption devices for various intersections.

Mr. Wolfe noted that the Township received two bids, and the low bid was submitted by Pennsylvania PERC's Incorporated, in the amount of \$22,244. He noted that the bid was found to be complete by staff. The second bid was submitted by Herr Traffic Signal and Lighting in the amount of \$24,000, and this was also found to be a complete bid. Mr. Wolfe noted that the Township has had significant experience working with Pennsylvania PERC's Incorporated, and they are currently the Township's contracted traffic signal maintenance professionals. He noted that it is staff's recommendation that the Board of Supervisors approve the bid to Pennsylvania PERC's in the amount of \$22,244 for the installation of five additional pre-emption devices.

Mr. Crissman made a motion to approve the bid for the installation of emergency pre-emption equipment at select traffic signals on the U.S. Route 22 Corridor to Pennsylvania PERC's Incorporated in the amount of \$22,244. Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Preliminary /final land development plan for
Community General Osteopathic Hospital - MRI

Ms. Wissler explained that the purpose of this plan is for the construction of a 5,470 square foot one-story expansion for an MRI Center with required parking. She noted that the property is located north of Londonderry Road, east of South Arlington Avenue, and is zoned Institutional District. This tract of land possesses 28.237 (exclusive of CNCO Leasehold) and is served by public water and public sewer systems.

Ms. Wissler noted on May 9, 2007, the Planning Commission recommended approval of the plan subject to addressing the comments generated by Township Staff, James Snyder, and Dauphin County Planning Commission. The Commission also recommended approval of the waiver of the requirement to submit a preliminary plan. She noted that staff supports this waiver.

Ms. Wissler noted that Steven Quigley, H. Edward Black and Associates, is present on behalf of the plan.

Mr. Quigley noted that the MRI building for Community General Osteopathic Hospital (CGOH) will replace the current building located on Arlington Avenue. He noted that the current building will be closed, and it has not been determined what its future use would be. He noted that the MRI service will move into the hospital building to provide access for in-patient and out-patient services. He noted that the MRI Center would be located at the back of the hospital with access through the back driveway. He noted that the building is approximately 5,000 square feet, and the parking lot will be reconfigured to accept the additional required parking.

Mr. Crissman questioned Mr. Quigley if he was in agreement to the six specific site comments that are addressed in Mr. Snyder's letter dated May 25, 2007. Mr. Quigley noted that he is, and explained that most of the comments have been addressed. Mr. Crissman questioned if they would all be completed to staff's satisfaction. Mr. Quigley answered yes. Mr. Crissman

questioned if he was in agreement with the three general comments and the two staff comments. Mr. Quigley answered yes.

Mr. Blain questioned if it had been determined what would be done with the former MRI building. Mr. Quigley answered that nothing has been decided, but he surmised that it may become a doctor's office. Mr. Blain noted that the current traffic trips generated by the current building would be moved to the new location at the hospital. Mr. Quigley stated that that was correct. Mr. Blain noted that there would be no additional traffic to the site. Mr. Quigley stated that he submitted information regarding peak hour traffic, but he did not find that there would be additional traffic as a result of the move. Mr. Blain noted that CGOH has the option to lease the other building, and it is unknown at this time what it would be used for.

Mr. Crissman moved to approve the preliminary /final land development plan 2007- 08 for Community General Osteopathic Hospital – MRI with the following waivers and comments: 1) A waiver of the requirement to submit a preliminary plan; 2) Plan approval shall be subject to addressing HRG's six comments dated May 25, 2007; 3) Plan approval shall be subject to providing original seals and signatures on the plan; 4) Plan approval shall be subject to the payment of engineering review fees; 5) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 6) A storm/sewer construction permit is required for construction of storm water facilities; and 7) All signage, including construction signs, must meet the requirements of the Lower Paxton Township Zoning Ordinance.

Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were nine improvement guarantees for consideration.

Jeffrey S. Coleman One-Story Building

An extension and increase in a letter of credit with Fulton Bank in the amount of \$17,985.00 with an expiration date of June 21, 2008.

Community General Osteopathic Hospital (ExMod)

An extension and increase in a letter of credit with Wachovia Bank in the amount of \$16,830.00 with an expiration date of June 30, 2008.

Dauphin County Technical School

A new letter of credit with Commerce Bank in the amount of \$103,000.00 with an expiration date of May 11, 2008.

Graystone Bank

An extension and increase in a letter of credit with Graystone Bank in the amount of \$1,870.00 with an expiration date of July 1, 2008.

Members 1st Federal Credit Union - Lockwillow

A extension and increase in a letter of credit with Mid-Atlantic Corporate Federal Credit Union in the amount of \$188,760.00 with an expiration date of June 29, 2008.

Mindy Meadows, Phase I

An extension in a letter of credit with Fulton Bank in the amount of \$15,750.00 with an expiration date of June 27, 2008.

North Mountain Office Court, Building 2

An extension and increase in a bond with Travelers Casualty and Surety Company of America in the amount of \$31,118.78.00 with an expiration date of June 27, 2008.

Old Iron Estates, Phase III

An extension and increase in a letter of credit with Fulton Bank in the amount of \$27,660.00 with an expiration date of July 14, 2008.

The Tire Mart

An extension and increase in an escrow account with Lower Paxton Township in the amount of \$2,722.50 with an expiration date of June 27, 2008.

Mr. Hornung noted that the North Mountain Road, Office Court, Building 2 improvements have not progressed over the past year. Ms. Wissler noted that Mr. Miller is having a problem with getting the developer to finish a few outstanding items. Mr. Hornung noted that on September 7, 2004, the Improvement Guarantee was for \$68,000 and it was increased to \$74,000 in July 2005. He noted that it was reduced in February of 2006 to \$25,000, and four months later in June 2006, it was increased 10%, and now the developer is asking for an extension to June, 2008. He noted that nothing has been done in the interim. He suggested that more pressure should be put on the developer to complete the improvements unless the request is for a different phase. Ms. Wissler answered that the request is for the same building, and explained that Mr. Miller is having difficulty with getting the developer to complete certain items. Mr. Hornung suggested that the Improvement Guarantee should only be extended for a couple of months. Ms. Wissler answered that this could be done. Mr. Seeds suggested that the developer just completed the sidewalks this spring, although, he agrees that the work should be completed. Mr. Hornung noted that the major concern is the planting of evergreen trees. Mr. Hawk noted that the four remaining items are not that difficult to complete. Mr. Blain suggested that the time extension should be reduced. Mr. Seeds suggested that the date could be modified to a six-month extension. Mr. Hornung suggested that the new extension date should be November 27, 2007. Ms. Wissler noted that she would make the necessary changes.

Mr. Hornung made a motion to approve the nine listed Improvement Guarantees; however, the expiration date for North Mountain Road Office Building should be changed to November 27, 2007. Mr. Crissman seconded the motion, and a unanimous vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:28 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary